

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

LARRY L. HATHAWAY,

Defendant.

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8:14CR312

ORDER

This matter is before the court on the joint motion to continue by the government and defendant Larry L. Hathaway (Hathaway) (Filing No. 19). The parties seek a continuance of the trial of this matter scheduled for June 1, 2015. Upon consideration, the motion will be granted as set forth below.

IT IS ORDERED:

1. The joint motion to continue trial (Filing No. 19) is granted as set forth below.
2. Trial of this matter is re-scheduled for **September 28, 2015**, before Senior Judge Joseph F. Bataillon and a jury. The ends of justice have been served by granting such motion and outweigh the interests of the public and the defendant in a speedy trial. The additional **time** arising as a result of the granting of the motion, i.e., the time between **May 19, 2015, and September 28, 2015**, shall be deemed **excludable** time in any computation of time under the requirement of the Speedy Trial Act for the reason that defendant's counsel requires additional time to adequately prepare the case. The failure to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(7)(A) & (B).

DATED this 19th day of May, 2015.

BY THE COURT:

s/ Thomas D. Thalken
United States Magistrate Judge